

## **PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD**

**MONDAY, JULY 9, 2001**

**3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II**

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Borys, Kreider, Raser, Senhauser, Spraul-Schmidt and Sullebarger present. Members absent: Bloomfield, Dale and Wallace.

### **CERTIFICATE OF APPROPRIATENESS, 1601 SYCAMORE STREET, OVER-THE-RHINE (SOUTH) HISTORIC DISTRICT**

Urban Conservator William Forwood summarized the staff report and distributed copies of letters of opposition to this project that had arrived after the staff report was distributed to Board members. Mr. Senhauser explained that the staff recommendation is to disapprove a Certificate of Appropriateness (COA) for the already installed roll-down overhead security windows and doors at this address. Neither a building permit nor a COA was obtained before installation.

Saleh Falah, owner of Wireless Connection, was present to answer questions. Mr. Falah said that although the building is in the historic district, the building itself is not historic. He argued that the real issue is safety and that he could not operate his business without security installations. He said he is willing to make the security windows and doors as unobtrusive as possible by installing awnings.

Ms. Sullebarger explained to the applicant that the Board was concerned about the plight of businesses in Over-the-Rhine since the civil unrest earlier this year, but that the installation of the roll down doors leaves the impression that the area is dangerous. She asked whether Mr. Falah would be willing to install interior security grilles. He said that at night when interior grilles are pulled down, they are more intrusive than the exterior security windows installed; they also permit passers-by to see the valuable merchandise inside.

Ms. Borys suggested removing the merchandise each night to a vault; Mr. Falah said they have tried that and found it impractical because it takes at least two and a half hours each day to get out and put away the merchandise. Ms. Sullebarger asked if there is any other way, such as covering the merchandise at night.

Mr. Senhauser explained that the HCB must look at this application as though the work had not already been done and the security windows and doors installed.

Mr. Kreider emphasized that the HCB is absolutely concerned about the safety of the residents and business owners in historic areas but is also concerned about the viability of the community. He said there are ways to improve building security without sending very negative messages about what is going on in the community and how welcome the community is to investment. He said the HCB is not against public safety but is absolutely for the betterment of Over-the-Rhine and any other

inner-city neighborhood; there are right ways and wrong ways to go about that for the benefit of that neighborhood and the City.

Ms. Sullebarger expressed concern that there will be many applications for permits to block up entrances or install overhead security windows and doors that will negatively impact the community. Mr. Raser said that in Walnut Hills where businesses have blocked up windows or installed roll-down gates, there are fewer eyes on the street and the area has become less safe.

Mr. Senhauser encouraged Mr. Falah to work with the HCB staff to find an acceptable security installation. He said Buildings & Inspections (which has cited Mr. Falah for doing the work without a permit) may permit the present installation to remain in place while Mr. Falah seeks an acceptable alternative. Ms. Sullebarger said it really depends on Mr. Falah's working with the HCB to resolve the issue.

Ms. Penny Carnes, president of the Mt. Auburn Community Council, spoke against granting the COA. She said the owner did not seek the Community Council's approval for installation of the security windows and doors. She also said:

1. The roll-down overhead security windows and doors give the impression of a high crime area.
2. These grilles are not appropriate on a building that is the front door to Sycamore Hill and the gateway to Mt. Auburn.
3. They send the wrong message about the community and are not appropriate for a highly visible building or business in an historic district.
4. Other types of security measures such as an alarm system or interior surveillance cameras are available. A store across the street has large glass windows that have never been broken.

### **BOARD ACTION**

The Board voted unanimously (motion by Raser second Spraul-Schmidt) to deny a Certificate of Appropriateness for the installation of exterior roll-down security grilles as installed at 1601 Sycamore Street in the Over-the-Rhine (South) Historic District and directed HCB staff to work with the applicant to develop an acceptable plan for interior mounted grilles to be approved by the Urban Conservator.

### **CERTIFICATE OF APPROPRIATENESS AND APPROVAL OF A CONDITIONAL ACCESSORY USE, 3015 FAIRFIELD AVENUE, EAST WALNUT HILLS HISTORIC DISTRICT**

Mr. Forwood distributed pictures and presented the staff report on an application for a COA for a fence and gate already installed without a building permit. Mr. Forwood said that neither the fence nor the gate were shown on a site plan when the Board approved a new garage and rear wall in 1999. Photographs from a 1995 application show a wood privacy fence and chain link gate where the new ones are located, but there is no indication that the HCB had addressed the fence or the gate in that approval.

Mr. Forwood indicated that the new wrought iron gate is approximately 75 feet from the front of the building, at the rear corner of the residence. The gate exceeds the 6-foot maximum height allowable under zoning (by 7-inches); so it requires a conditional use variance as a COA. Staff recommends approving the fence and gate on the condition that the decorative vine details be removed from the gate.

In response to a question from Ms. Sullebarger, Mr. Forwood said the owner prefers not to remove the decorative detail from the gate; this would require replacing the decorative work with pickets to match. Mr. Kreider asked if the existing fence was re-erected as part of 1999 landscaping improvements on the neighboring property. Mr. Forwood answered that the present fence is a replacement for an earlier fence.

Michael Keifling, architect, representing the owner, Kaushal Bhardwaj, M.D. was present. Mr. Keifling said the gate is not detrimental to the neighborhood and distributed photos of other decorative ironwork in the neighborhood.

Ms. Spraul-Schmidt asked why no permit was sought for the gate installation. Mr. Keifling said the gate was installed in conjunction with a previous permit for a garage approved by the HCB in 1999. He said the contractor replaced an existing chain link fence with a wooden fence and installed a nicer gate suspended from a wooden post. He said the rear yard is enclosed by a block wall along half of the rear property; a board-on-board fence runs behind the garage in the other half; the new stockade fence runs along the south property line; there is chain link fence along the north property line.

Mr. Senhauser suggested the gate is overly decorative, especially in conjunction with the disparate fencing in a relatively small rear yard. Ms. Sullebarger expressed concern that the HCB is repeatedly asked to approve work already in place that would not have been approval prior to construction. Ms. Spraul-Schmidt said she was concerned that a permit was sought for some but not all of the work on the property.

### **BOARD ACTION**

The Board voted unanimously (motion by Spraul-Schmidt second by Sullebarger) to approve the staff proposal to:

1. Approve a Certificate of Appropriateness for the new wood privacy fence and wrought iron gate with the condition that the decorative vine details be removed from the gate for a more simplified design.
2. Approve a conditional accessory use as per section 1409-311 (b) to allow the construction of a gate measuring 6'7" which is more than the 6' allowed for accessory structures and make the necessary findings to grant the required conditional accessory use approval.

**CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCES, 3043  
WOLD AVENUE, EAST WALNUT HILLS HISTORIC DISTRICT**

Staff member Adrienne Cowden presented the staff report on this application for a COA and zoning variance for this project. She said the design for a new rear porch is appropriate to the building and meets the historic district guidelines for the overall scale and massing. Certain design elements including Tuscan columns and heavy balustrade are more appropriate for a high style building than for this simple, eclectic one. Staff recommended that the porch be redesigned with simpler detailing taking cues from the entry porch and enclosed sun porch. The owner chose to bring the original design before the Board.

Staff believes the landscaping plan also meets East Walnut Hills Historic District guidelines. There is precedent on the street for the formal garden and circular driveway.

The Zoning Code prohibits parking facilities in the front yard of a single-family residence in an R-1 District. Because the proposed circular driveway provides parking in front of 3043 Wold Avenue, it requires a zoning variance. Ms. Cowden said staff considers the proposed circular drive (as screened from view and softened by landscaping) to be an acceptable site improvement and that will eliminate a highly visible gravel parking pad presently in front of the house. Ms. Tracey Meade of Garden Designs and Mr. Kirk Hodulik and Ms. Susan May of ArchitectsPlus were present and answered questions from the Board.

Ms. Cowden said the East Walnut Hills Assembly was notified of this hearing; the only response to notification was from Roger Yurchuck of 2959 Wold Avenue who reviewed the project plans and expressed no concerns about the proposed work.

The Board expressed concern that the rear porch needed to better relate to the other architectural features of the house. Members suggested that the simplicity and proportions of the front entry porch and adjoining side sun porch be used as a model for the new rear porch. They commended the design of the upper portion of the porch cornice and brackets, but suggested that the balustrade and piers be simplified in keeping with details on the remainder of the house. Mr. Hodulik suggested that the balustrade might be replaced with a low wall that would extend the horizontality of the residence and site. The Board encouraged the applicant to work with HCB staff to refine the detailing of the rear porch.

**BOARD ACTION**

The Board voted unanimously (motion by Borys second by Kreider) to accept the staff recommendation to

1. Approve a Certificate of Appropriateness for the construction of a rear porch at 3043 Wold Avenue with the following conditions:
  - A. The design should be simplified to be more compatible with the design elements of the residence; and
  - B. Final specifications for the porch should be submitted to the Urban Conservator for approval prior to construction.

2. Find that the proposed landscape design meets the East Walnut Hills Historic District Guidelines and approve a Certificate of Appropriateness; and
  3. Grant approval of a zoning variance for a circular driveway finding that such relief:
    - A. Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic, architectural or aesthetic integrity; and
    - B. Will not be materially detrimental to the public health, safety and welfare or injurious to the property in the district or vicinity.
- [Mr. Kreider left the meeting.]

### **OTHER ITEMS**

*Over-the-Rhine (North) Historic District:* Mr. Forwood reported that the Housing Committee of the OTR Master Plan Steering Committee has proposed that the Over-the-Rhine (South) historic guidelines be adopted for Over-the-Rhine (North) Historic District. There is an opportunity to make some adjustments to the guidelines to reflect the review history and changes in technology (such as acceptable, alternative windows, security grilles and the like) since the guidelines were first drafted eight to ten years ago. HCB staff will meet with a group of market-rate developers and community representatives to discuss specifics of the guidelines. The designation report will be presented to the HCB on August 6, 2001.

*Signs on Main Street:* Mr. Forwood indicated that there have been only nine sign permits approved on Main Street in the last two years. This does not include any sign approvals that may have been included in other permits or simply the repainting of existing designs. HCO will follow up on determining which existing signs may have been installed without permits.

*Taft Museum Renovation:* Mr. Forwood reported that the architects for the Taft Museum addition are considering more contemporary design alternatives than that presented to the HCB. The project is being redesigned to include some of the suggestions and encouragement made by the HCB at the preliminary review.

### **ADJOURNMENT**

As there were no other items for consideration by the Board, the meeting adjourned (motion by Sullebarger second by Spraul-Schmidt).

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William L. Forwood  
Urban Conservator

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John C. Senhauser  
Chairman

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7/23/01  
Date